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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Yukio KITAHARA Examiner: Robert E. Pezzuto
Serial No.: 09/983,055 Group Art Unit: 3671
Filed: 10/23/2001 Docket: 065686-0150
Title: PRODUCT REPAIRING METHOD AND PRODUCT REPAIRING APPARATUS

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described herein, are being deposited in the United States Postal Service, as Express Mail – EV4205552732US with sufficient postage, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313 on September 2, 2004.

By:

Richard S. Ruggiero

Richard S Ruggiero

Commissioner for Patents
Alexandria, VA 22313

Sir:

We are transmitting herewith the attached:

- ☒ Information Disclosure Statement (In duplicate)
- ☒ Form PTO-Form SB08
- ☒ Copies of Cited References (5)
- ☒ Return postcard

Please charge any fees associated with this transmittal to Deposit Account No: 50-0872. A duplicate of this sheet is enclosed.

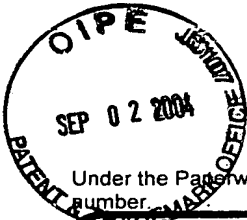
Date: September 2, 2004

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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

Date Submitted: September 2, 2004

(use as many sheets as necessary)

Sheet 1 of 1

Complete if Known

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| Application Number | 09/983,055 |
| Filing Date | 10/23/2001 |
| First Named Inventor | Yukio KITAHARA |
| Group Art Unit | 3671 |
| Examiner Name | Robert E. Pezzuto |
| Attorney Docket Number | 065686-0150 |

U.S. PATENT DOCUMENTS

| Examiner Initials* | Cite No. ¹ | U.S. Patent Document | | Name of Patentee or Applicant of Cited Document | Date of Publication of Cited Document MM-DD-YYYY | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
|--------------------|-----------------------|----------------------|-----------------------------------|---|--|---|
| | | Number | Kind Code ² (if known) | | | |
| | A1 | 6,105,003 | | Morohashi et al. | 08/15/2000 | |
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FOREIGN PATENT DOCUMENTS

| Examiner Initials* | Cite No. ¹ | Foreign Patent Document | | | Name of Patentee or Applicant of Cited Documents | Date of Publication of Cited Document MM-DD-YYYY | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | T ⁶ |
|--------------------|-----------------------|-------------------------|---------------------|-----------------------------------|--|--|---|----------------|
| | | Office ³ | Number ⁴ | Kind Code ⁵ (if known) | | | | |
| | A2 | | 08-050617 | | Fujitsu Ltd. | 02/20/1996 | | Ab |
| | A3 | | 08-129589 | | Matsuya Jidosha KK | 01/11/1994 | | Ab |
| | A4 | | 11-154280 | | Fujitsu General Ltd. | 06/08/1999 | | Ab |
| | A5 | | 11-338927 | | Fujitsu Ltd. | 12/10/1999 | | Ab |
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NON PATENT LITERATURE DOCUMENTS

| Examiner Initials* | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published. | T ⁶ |
|--------------------|-----------------------|--|----------------|
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Examiner Signature

Date Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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Atty. Dkt. No. 065686-0150

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METHOD AND PRODUCT
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Filing Date: 10/23/2001
Examiner: Robert E. Pezzuto
Art Unit: 3671

CERTIFICATE OF EXPRESS MAILING
I hereby certify that this correspondence is being deposited with the United States Postal Service's "Express Mail Post Office To Addressee" service under 37 C.F.R. § 1.10 on the date indicated below and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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(Date of Deposit)

Richard S. Ruggiero

(Printed Name)

Richard S. Ruggiero

(Signature)

INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicant in order to comply with Applicant's duty of disclosure pursuant to 37 CFR §1.56. A copy of each listed document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicant does not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

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TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 CFR §1.97(d), before payment of the issue fee. Included in this submission is issued U.S. Patent Number 6,105,003 issued on August 15, 2003 which is believed to be the English equivalent of Japanese publication 08-050617.

RELEVANCE OF EACH DOCUMENT

Applicant respectfully requests that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609. The Office Action in the counterpart Japanese application states:

* * * * *

1. The Invention According to the Present Application

The invention according to Claim 1 of this application (hereinafter termed “the invention according to the present application”) is seen as being as follows in the description in the patent claims:

Claim 1:

A product maintenance management system that is a computer system that performs sales and procurement of maintenance parts to maintenance members through a data communications network; characterized by comprising a member database that stores information regarding said maintenance members, a maintenance parts sales function unit that sells maintenance parts for products to said maintenance members, a maintenance desk function unit that not only receives, from said maintenance member, requests for maintenance using said maintenance parts that have been sold through said maintenance parts sales function unit, but that also reads in information, from said member database, for said maintenance parts required in

maintenance; and a maintenance parts procurement function unit that procures said maintenance parts from a maintenance member other than the maintenance member that made said maintenance request through reading information from said member database when said maintenance parts, that are required for the maintenance received by said maintenance desk function unit are not in inventory. (Hereinafter [the above shall be] termed “the invention according to the present application.”)

2. Acknowledgement of Inventions Described in Publications

In this regard, there are the following descriptions in, respectively, Japanese Unexamined Patent Application Publication H11-338927 (hereinafter termed “Publication 1”), Japanese Unexamined Patent Application Publication H8-50617 (hereinafter termed “Publication 2”), and Japanese Unexamined Patent Application Publication H11-154280 (hereinafter termed “Publication 3”), which are publications distributed prior to the date of the present application.

Publication 1

(1) “The present invention relates to a method for product-related information extraction for performing after-service, in particular, after a product has been purchased, and relates especially to an after-service provision system that uses said method, where [said system] is an electronic mall system wherein products can be purchased through the purchaser’s terminal connecting through a network to a virtual shop (mall, shopping street, etc.) provided by a provider.” (Page 2, column 2, lines 29 – 35.)

(2) “The object of the present invention is to make it possible for a general purchaser to purchase easily optional parts or replacement parts for a product that has already been purchased in the past, without the general purchaser having to know the product model number, etc., in a virtual shop on a network.” (Page 3, column 3, lines 34 – 37.)

(3) “When the product purchase procedures are performed, information pertaining to the product purchased is correlated with the purchaser, based on the data that

has been inputted, and is stored in purchase data 10.” (Page 4, column 6, lines 4 – 6.)

(4) “The purchase product authorization unit 610 retrieves the purchase data 10 and extracts the product that has been purchased by said customer, based on information that can identify the customer information (such as a customer number) inputted when accessing the virtual shop.” (Page 4, column 6, lines 44 – 47.)

It is clear, from the descriptions in (1) and (2), above, that there are virtual shops in the after-service support system, and that the virtual shops sell replacement parts for products to general purchasers. Furthermore, it is clear from the descriptions in (3) and (4), above, that said after-service support system is equipped with a repair desk function part that reads information about said replacement parts, required in maintenance, from the purchase data 10.

Consequently, Publication 1 is seen as describing an invention (hereinafter termed “the invention of Publication 1”) which is “an after-service support system that is a computer system that performs sales of replacement parts for products to general purchasers, through a network, comprising purchase data 10, which stores information regarding said general purchasers, virtual shops that perform sales of replacement parts for products to said general purchasers, and a maintenance desk function unit that reads information for said replacement parts required in maintenance from said purchase data 10.”

Publication 2

(5) “The present invention . . . has the object of providing a customer information processing system that improves the level of service to the customer and that reduces the amount of labor for the member by effectively utilizing information stored by the respective terminal devices, such as customer questionnaire information, through connecting together terminal devices that are used in the showrooms for product sales, workshops for repairs, and offices, to produce,

immediately and accurately, written product estimates and written repair estimates, etc.” (Page 3, column 4, lines 3 – 10.)

(6) “Next the host terminal device 31 sends to the portable terminal device 51 a list of the customers requesting repairs, shown in Figure 27 (S55).” (Pages 7, column 12, lines 4 – 6.)

(7) “The host terminal device 31 retrieves the customer file 32, based on said customer number, specifying the vehicle owned by the customer . . . ” (Page 7, column 12, lines 13 – 15.)

It is clear from the descriptions in (6) and (7), above, that there is a repair desk function unit that receives, from the customer, a request for repairing the product. Consequently, Publication 2 is seen as describing an invention (hereinafter termed “the invention according to Publication 2”) which is “a customer information processing system comprising a repair desk function unit that receives, from the customer, requests for repairing a product.”

Publication 3

(8) “The object is to structure an inventory management system that can reference, in real time, inventory management data on the headquarters server from a shop server, and can be used in sales.” (Page 3, column 4, lines 18 – 20.)

(9) “In the present system, the remote-shop inventory inquiry unit 23 sends and headquarters inventory inquiry request to the headquarters server 6 through a public communications circuit NT2.” (Page 6, column 9, lines 24 – 25.)

(10) There are two routines for cases wherein the shop inventory and headquarters inventory is absent or inadequate. The first is that the remote-shop inventory inquiry unit 73 within the headquarters server makes an inquiry ST8 of the inventory data for another shop of the all-shop inventory master 100, where, if there is a response to the shop server 1 that the required quantity can be secured, the remote-shop inventory allocation unit 23 sends a headquarters inventory transfer request to the real update unit 30, and when transfer authorization is issued, the headquarters inventory allocation request is sent to the headquarters server 6. The remote-shop inventory allocation unit 75 in the headquarters server grants the remote-shop inventory transfer authorization to the real update unit 80,

and when the inventory allocation process ST9 is requested of the other shop server 1', at the same time, the between-shops product transfer process ST10, etc., is performed, and the results are returned to the shop server 1." (Page 6, column 9, lines 37 – 48.)

Here it is clear from the aforementioned description (9) that this is a computer system [wherein data is transferred] through a data communications network, and the shop, which is controlled by a control system, is the managed object. Here, from the description in (10), above, it is clear that the all-shop inventory master 100 is a database that stores data pertaining to the managed objects, and, from the allocation to a managed object that is not the managed object that sent the inquiry request, it is clear that [said system] is equipped with a procurement function unit that procures, from a managed object that is not the managed object that sent the inquiry request.

Consequently, Publication 3 is seen as containing a description of the invention of "a control system that is a computer system that performs procurement to the managed object through a data communications network, comprising a database that stores information pertaining to the managed objects, and a procurement function unit that procures from a managed object other than the managed object that sent the inquiry request by reading information from a database when there is no inventory" (hereinafter termed "the invention according to Publication 3").

3. Regarding the Invention According to the Present Application

3.1 Comparisons

The invention according to the present application and the invention according to Publication 1 are compared.

The "network," "product," and "replacement part," in the invention according to Publication 1 correspond to the "data communications network," "product," and "maintenance part" in the invention according to the present application.

Furthermore, the "general purchaser" in the invention according to Publication 1 corresponds to the "maintenance member" in the invention according to the present application because this is the individual who is providing service through the system. In addition, the "purchase data 10" in the invention according to

Publication 1 corresponds to the “member database” in the invention according to the present application because it includes information pertaining to the maintenance members. Furthermore, the “virtual shop” in the invention according to Publication 1 corresponds to the “maintenance part sales function unit” in the invention according to the present application because of the presence of a function that sells maintenance parts for the product to the members. Additionally, the “after-service support system” in the invention according to Publication 1 corresponds to the “product maintenance management system” in the invention according to the present application.

Given this, the invention according to the present application and the invention according to Publication 1 are in accord in that they are “product maintenance management systems that are computer systems that perform sales of maintenance parts to maintenance members through a data communications network; comprising a member database that stores information regarding said maintenance members, a maintenance part sales function unit that performs sales of maintenance parts for products to said maintenance members, and a maintenance desk function unit that reads information on the maintenance parts required in maintenance from the member database,” with differences in the points described below.

(i) In contrast to the maintenance desk function unit in the invention according to the present application, which receives requests from maintenance members requesting maintenance using maintenance parts sold through the maintenance part sales function unit, in the invention according to Publication 1 maintenance request are not received. (Hereinafter termed “Point of Difference 1.”)

(ii) In the invention according to the present application, the product maintenance management system is a computer system that performs maintenance part sales and procure to maintenance members through a data communications network, and has a maintenance part procurement function unit that procures maintenance parts from a maintenance member aside from the maintenance member show made an applicable maintenance request, through reading information from a member database when there is no maintenance part inventory for the maintenance

part required in the maintenance accepted by the maintenance desk function unit, while, in contrast, the product maintenance management system according to the invention according to Publication 1 is a computer system that sells maintenance parts to maintenance members through a data communications network, and there is no such functional unit. (Hereinafter termed “Point of Difference 2.”)

3.2 Decision

Let us investigate the aforementioned Point of Difference 1.

The “customer” in the invention according to Publication 2 and the “maintenance member” in the invention according to the present application are both “members.” Furthermore, the “repair” in the invention according to Publication 2 corresponds to the “maintenance” in the invention according to the present application. Furthermore, the “customer information processing system” in the invention according to Publication 2 corresponds to the “product maintenance management system” in the invention according to the present application because it has the function of control regarding product maintenance.

The “maintenance desk function unit” in the invention according to Publication 1 receives the purchase [orders] of maintenance parts from the product maintenance management system. On the other hand, the “maintenance desk function unit” in the invention according to Publication 2 is able to receive requests for maintenance. Furthermore, the invention according to Publication 1 and the invention according to Publication 2 both belong to the technical field of “product maintenance management systems,” and so the use of a structure, in the invention according to Publication 1, that has a maintenance desk function unit that receives maintenance requests from maintenance members, such as found in the invention according to Publication 2, is in the range of the normal creative capabilities of one skilled in the art, and so, at this time, it is only natural that requests be received that maintenance be performed using the maintenance parts that are sold through the maintenance part sales function unit. Consequently, the use, in the invention according to Publication 1, of a structure that has a maintenance desk function unit that reads information from a member database about the

aforementioned maintenance part required in the applicable maintenance while receiving, from maintenance members, requests for maintenance using the maintenance parts that are sold through the maintenance part sales function unit, thereby forming a structure such as in the invention according to the present application, is something which could be arrived at easily by one skilled in the art. Let us investigate the aforementioned Point of Difference 2.

It is only natural, in a product management system such as in the invention according to Publication 1, that maintenance parts be procured somehow when there is no inventory of said maintenance parts. Furthermore, the invention according to Publication 3 is able to procure, from a managed object that is other than the managed object that has the inquiry request, through reading from a database. If this is the case, then if, in the invention according to Publication 1, there is no inventory of the maintenance part that is required in the maintenance that has been received by the maintenance reception function unit, then, as in the invention according to Publication 3, the use of a structure that has a procurement function unit that procures, from a managed object other than the managed object that sent the inquiry request by reading information from a database, which is the computer system that performs procurement for the managed object, through a data communications network, so that, as in the invention according to the present application, there will be a maintenance part procurement function unit that procures maintenance parts from a maintenance member other than the maintenance member that made the applicable maintenance request by reading the information of the member database, when there is no inventory of the maintenance parts required in the maintenance received by the maintenance desk function unit, which is a computer system that performs sales and procurement of maintenance parts for maintenance members through a data communications network, is something which could be obtained easily by one who was skilled in the art.

3.3 Conclusion

Consequently, the invention according to the present application could have been invented easily by one skilled in the art based on the inventions described in

Publication 1 – 3, and thus is ineligible to receive a patent according to the stipulations of Japan Patent Law, Article 29, Paragraph 2.

Record of Prior Art Literature Search Results

* Fields Searched: IPC 7th Edition B65G1/137
 B65G61/00
 G06F17/60

* Prior Art Literature: Japanese Unexamined Patent Application Publication
H9-297793

 Published Japanese Translation of a PCT Application 2000-506290

 Japanese Unexamined Patent Application Publication H8-129589

This Record of Prior Art Literature Search Results does not constitute a reason for rejection.

STATEMENT

The undersigned hereby states in accordance with 37 CFR §1.97(d)(1) that each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application and that this communication was not received by any individual designated in 37 CFR § 1.56(c) more than thirty days prior to the filing of the information disclosure statement and was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to filing of this Information Disclosure Statement.

FEE

A fee in connection with submission of an information disclosure statement under 37 CFR § 1.97 (d) in the amount \$180.00 in accordance with 37 CFR § 1.17(p) is attached.

The Commissioner is hereby authorized to charge any fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, posted-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872.

Respectfully submitted,

Date 9-2-04

By David A. Blumenthal

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